

## REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the Final Office Action mailed June 16, 2005. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 1 – 19 remain pending. In particular, Applicants amend claims 1 – 19. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### I. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Truong spent with Applicants' Attorney, Anthony Bonner during a telephone discussion on July 29, 2005 regarding the outstanding Office Action. During that conversation, Examiner Truong seemed to indicate that it would be potentially beneficial for Applicants to make amendments contained herein. More specifically, Examiner Truong seemed to indicate that amending the claims to more clearly recite that the systems and methods are "processed by a computing device at a **sender location**" would be potentially beneficial. Thus, Applicants respectfully request that Examiner Truong carefully consider this response and the amendments.

### II. Rejections Under 35 U.S.C. §103

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the cited art reference must suggest all features of the claimed invention to one of ordinary skill in the art.

*See, e.g., In re Dow Chemical, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); In re*

*Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981). Further, “[t]he PTO has the burden under section 103 to establish a prima facie case of obviousness. It can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references.” *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

A. **Claim 1 is Patentable Over Knauerhase in View of Donovan**

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 A1 (“*Knauerhase*”) in view of U.S. Publication Number 2004/0193722 (“*Donovan*”). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest all of the elements of claim 1. Claim 1, as amended recites:

A method processed by a computing device ***at a sender location***, comprising the steps of:

receiving, by the computing device ***at the sender location***, an instant messaging (IM) address of a ***contact of the sender***;

receiving, by the computing device ***at the sender location***, an email address of a contact;

receiving, by the computing device ***at the sender location***, a reference identifier (ID) ***from the sender***, the reference identifier (ID) being adapted to identify the individual contact;

correlating, by the computing device ***at the sender location***, the IM address to the reference identifier; and

correlating the email address to the reference identifier (ID). ***(emphasis added)***.

Applicants respectfully submit that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest at least a “method processed by a computing device ***at a sender location***,

comprising the steps of: receiving, by the computing device *at the sender location*, an instant messaging (IM) address of a *contact of the sender*; [and] receiving, by the computing device *at the sender location*, a reference identifier (ID) *from the sender...*" as recited in claim 1, as amended. More specifically, *Knauerhase* discloses:

Typically, a single user may have several different associated communication channels through which the user can receive messages from other users. For example, a user "Rob" may have multiple e-mail addresses, multiple IM addresses, multiple landline telephone numbers, multiple cell phone numbers, and one or more fax numbers, pager numbers, and the like, any one or more of which may be used to route messages to Rob... Typically, the sender chooses which of the channels the message is to be sent over. To do so, however, the sender must know and keep track of the recipient's various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information.

Moreover, depending on the recipient's location or circumstances, *the channel or channels designated by the sender may turn out to be less than ideal for a variety of reasons*. (p. 1, para. 12 – 13, *emphasis added*).

As clearly illustrated in this passage, *Knauerhase* appears to disclose that a sender designating a channel (e-mail address, IM address, etc.) by which to reach a recipient may be less than ideal. Applicants therefore submit that *Knauerhase* teaches away from the claimed subject matter for at least the reason that *Knauerhase* appears to suggest that in a "the sender must know and keep track of the recipient's various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information." For at least this reason, Applicants submit that claim 1, as amended is allowable over *Knauerhase* in view of *Donovan*.

Additionally, Applicants submit that the passage "[t]ypically, the sender chooses which of the channels the message is to be sent over" cited by the Office Action refers to previous techniques whereby a sender designates the e-mail address (or other communication channel) for

the intended recipient. Applicants respectfully submit that this sentence was improperly cited for purposes of anticipation, and that claim 1, as amended is allowable over *Knauerhase* in view of *Donovan*.

**B. Claim 6 is Patentable Over Knauerhase in View of Donovan**

The Office Action indicates that claim 6 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 A1 (“*Knauerhase*”) in view of U.S. Publication Number 2004/0193722 (“*Donovan*”). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest all of the elements of claim 6. Claim 6, as amended recites:

A method processed by a computing device *at a sender location*, comprising the steps of:

receiving, *by the computing device at the sender location*, sender input, the sender input comprising multiple instant messaging (IM) addresses of an individual *contact of the sender*, the multiple IM addresses comprising IM addresses from different IM accounts, each of the different IM accounts being adapted to transmit and receive IM messages using a different IM protocol;

receiving, *by the computing device at the sender location*, a reference identifier (ID) from the sender, the reference identifier (ID) being adapted to identify the individual contact; and

correlating, *by the computing device at the sender location*, each of the multiple IM addresses to the reference identifier (ID). (*emphasis added*).

Applicants respectfully submit that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest at least a “method processed by a computing device *at a sender location*, comprising the steps of: receiving, *by the computing device at the sender location*, sender input, the sender input comprising multiple instant messaging (IM) addresses of an individual *contact of the sender*... [and] receiving, *by the computing device at the sender location*, a reference

identifier (ID) from the sender, the reference identifier (ID) being adapted to identify the individual contact...” as recited in claim 6, as amended. More specifically, *Knauerhase* discloses:

Typically, a single user may have several different associated communication channels through which the user can receive messages from other users. For example, a user “Rob” may have multiple e-mail addresses, multiple IM addresses, multiple landline telephone numbers, multiple cell phone numbers, and one or more fax numbers, pager numbers, and the like, any one or more of which may be used to route messages to Rob... Typically, the sender chooses which of the channels the message is to be sent over. To do so, however, the sender must know and keep track of the recipient’s various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information.

Moreover, depending on the recipient’s location or circumstances, *the channel or channels designated by the sender may turn out to be less than ideal for a variety of reasons.* (p. 1, para. 12 – 13, *emphasis added*).

As clearly illustrated in this passage, *Knauerhase* appears to disclose that a sender designating a channel (e-mail address, IM address, etc.) by which to reach a recipient may be less than ideal. Applicants therefore submit that *Knauerhase* teaches away from the claimed subject matter for at least the reason that *Knauerhase* appears to suggest that in a “the sender must know and keep track of the recipient’s various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information.” For at least this reason, Applicants submit that claim 6, as amended is allowable over *Knauerhase* in view of *Donovan*.

Additionally, Applicants submit that the passage “[t]ypically, the sender chooses which of the channels the message is to be sent over” cited by the Office Action refers to previous techniques whereby a sender designates the e-mail address (or other communication channel) for the intended recipient. Applicants respectfully submit that this sentence was improperly cited for

purposes of anticipation, and that claim 6, as amended is allowable over *Knauerhase* in view of *Donovan*.

**C. Claim 11 is Patentable Over Knauerhase in View of Donovan**

The Office Action indicates that claim 11 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 A1 (“*Knauerhase*”) in view of U.S. Publication Number 2004/0193722 (“*Donovan*”). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest all of the elements of claim 11. Claim 11, as amended recites:

A system processed by a computing device at a sender location comprising:

first receive logic, *processed by the computing device at the sender location*, and configured to receive first sender input, the first sender input comprising multiple instant messaging (IM) addresses of an individual *contact of the sender*, the multiple IM addresses comprising IM addresses from different IM accounts, each of the different IM accounts being adapted to transmit and receive IM messages using a different IM protocol;

second receive logic, *processed by the computing device at the sender location*, and configured to receive second sender input, the second user input comprising a reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact; and

correlate logic, *processed by the computing device at the sender location*, and configured to correlate each of the multiple IM addresses to a reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact. (*emphasis added*).

Applicants respectfully submit that *Knauerhase* in view of *Donovan* fails to disclose, teach, or suggest at least a “system processed by a computing device *at a sender location*, comprising the steps of: first receive logic, *processed by the computing device at the sender location*, and configured to receive first sender input, the first sender input comprising multiple

instant messaging (IM) addresses of an individual *contact of the sender*... [and] second receive logic, *processed by the computing device at the sender location*, and configured to receive second sender input, the second user input comprising a reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact..." as recited in claim 11, as amended. More specifically, *Knauerhase* discloses:

Typically, a single user may have several different associated communication channels through which the user can receive messages from other users. For example, a user "Rob" may have multiple e-mail addresses, multiple IM addresses, multiple landline telephone numbers, multiple cell phone numbers, and one or more fax numbers, pager numbers, and the like, any one or more of which may be used to route messages to Rob... Typically, the sender chooses which of the channels the message is to be sent over. To do so, however, the sender must know and keep track of the recipient's various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information.

Moreover, depending on the recipient's location or circumstances, *the channel or channels designated by the sender may turn out to be less than ideal for a variety of reasons*. (p. 1, para. 12 – 13, *emphasis added*).

As clearly illustrated in this passage, *Knauerhase* appears to disclose that a sender designating a channel (e-mail address, IM address, etc.) by which to reach a recipient may be less than ideal. Applicants therefore submit that *Knauerhase* teaches away from the claimed subject matter for at least the reason that *Knauerhase* appears to suggest that in a "the sender must know and keep track of the recipient's various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information." For at least this reason, Applicants submit that claim 11, as amended is allowable over *Knauerhase* in view of *Donovan*.

Additionally, Applicants submit that the passage "[t]ypically, the sender chooses which of the channels the message is to be sent over" cited by the Office Action refers to previous

techniques whereby a sender designates the e-mail address (or other communication channel) for the intended recipient. Applicants respectfully submit that this sentence was improperly cited for purposes of anticipation, and that claim 11, as amended is allowable over *Knauerhase* in view of *Donovan*.

**D. Claims 2 – 5, 7 – 10, and 12 – 19 are Patentable Over *Knauerhase* in View of *Donovan***

In addition, dependent claims 2 – 5 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 7 – 10 are believed to be allowable for at least the reason that they depend from allowable independent claim 6. Dependent claims 12 – 19 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 11. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

## **CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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